REMARKS

Applicants respectfully request the Examiner to reconsider the claims in view of the following Remarks in accordance with the provisions of 37 C.F.R §1.116.

Claims 1-4, 6, 8-12, 15-17, and 20 are pending in the application. Claims 1-4, 6, 8-12, 15-17, and 20 are rejected.

The Rejections under 35 U.S.C. §103(a)

<div align="center">In View of Huang et al. et al.</div>

The Examiner rejects Claims 1-4, 6, 8-12, 15-17, and 20 under 35 U.S.C. §103(a) as being unpatentable over Huang et al. (U.S. Patent number 6,571,245). The Examiner recognizes that Huang et al. does not disclose a second computer. However, the Examiner asserts that "it has been held obvious to replicate and invention to produce the same multiple results. The Examiner concludes "...one of ordinary skill in the art would find it obvious from the disclosure of Huang to provide a second sharing partner... ."

As the Examiner is aware, and as found in MPEP §2142, in order to establish a prima facie case of obviousness "...the prior art reference (or prior art references when combined) must teach or suggest all the claim limitations." Applicants respectfully submit that the Examiner has not met this burden in order to establish prima facie obviousness.

Applicants submit that Claim 1 is patentably distinct over Huang et al., since the cited reference neither describes nor suggests "... storing first private data within a first private data memory associated with a first sharing partner, wherein *the first private data is accessible to only the first sharing partner*; selecting a portion of the first private data to provide a first private data portion ...[and] *pushing, upon initiation by the first sharing partner, data in accordance with the*

first private data portion from the first sharing partner to the second sharing partner as a first
replicated data portion... ," as set forth in Claim 1. Similarly, Applicants submit that Claim 1 is
patentably distinct over Huang et al., since the cited reference neither describes nor suggests
"...storing second private data within a second private data memory associated with a second
sharing partner, wherein *the second private data is accessible to only the second sharing partner*;
selecting a portion of the second private data to provide a second private data portion...[and]
pushing, upon initiation by the second sharing partner, data in accordance with the second
private data portion from the second sharing partner to the first sharing partner as a second
replicated data portion... ," as set forth in Claim 1.

With this arrangement, first private data, which is within the claimed first sharing partner,
is particularly secure from tampering by other sharing partners. Similarly, second private data,
which is within the claimed second sharing partner, is particularly secure from tampering by the
other sharing partners. The other sharing partners do not have the ability to directly access the
private data within the sharing partners. In essence, the other sharing partners have *no access*
privileges to the data, which resides within the first sharing partner. The first private data stored
within the first sharing partner, as claimed, is accessible only to the first sharing partner.
Similarly, the second private data stored within the first sharing partner, as claimed, is accessible
only to the first sharing partner. *Data in accordance with the first private data is pushed* to the
second sharing partner, upon initiation by the first sharing partner. The data transfer does not
result from a request by the second sharing partner. Similarly, the second sharing partner can
push data in accordance with the second private data to the first sharing partner.

The Examiner uses FIG. 8 of Huang et al. and associated text in column 12 to show the
claimed arrangement. In accordance FIG. 8, Huang describes a "sync folder icon 812." (column
11, line 48. At column 11, line 47 to column 12, line 37, Huang describes:

> FIG. 8 shows a simplified diagram of an embodiment of the file
> synchronization feature of the invention. As noted above, *files and folders can*

be easily transferred and shared between the storage on the network and the local PCs (e.g., the office desktop PC, the home desktop PC, or a portable PC) used to access the virtual desktop. File sharing greatly enhances flexibility but requires the file management system to maintain up-to-date copies of the files.

As shown in FIG. 8, a virtual desktop window 810 includes a sync folder icon 812. An office PC desktop window 820 includes a sync folder icon 822, a hard disk icon 824, and a trash icon 826. Similarly, a home PC desktop window 830 includes a sync folder 832. The communications between the PC desktops and the virtual desktop is coordinated by a file synchronization application 840. Although typically one desktop PC accesses the virtual desktop at any give moment, *there may be situations when multiple desktop PCs concurrently access the virtual desktop (i.e., such as when files are being shared between two users at two desktop PCs).* Windows 810, 820, and 830 typically include other icons that are not shown in FIG. 8 for clarity. Also, more than one sync folder can be created on a particular desktop.

The sync folders on the desktop PCs contain files and folders to be maintained "in sync" with their duplicates on the network. The user is able to access and manipulate the items in the sync folder like any other folders. These items are functionally indistinguishable to the user except for the sync feature.

In an embodiment, if the user maintains a sync folder on the PC desktop and the sync folder has at least one item, *the file synchronization application is launched and runs in the background of the desktop PC.* At the designated update times, the file synchronization application *exchanges* with the file server information pertaining to the items in the sync folder. *Files are then transferred and updated based on the exchanged information and in accordance with the instructions set by the user, as further described below.*

The *update times can be designated by the user or selected automatically by the file synchronization application.* For example, the user can elect to update the files at the start of a session, at the end of the session, during the session, or a combination of the above. The user can also elect to have the files updated at specific times (e.g., at midnight everyday) or only when the user commands. If no times are designated by the user, the synchronization application can automatically select the update times. The user can also selectively enable and disable the file synchronization feature.

In performing the file synchronization at the designated time, *the synchronization application first retrieves information for items in the sync folder. For each item in the folder, the application then compares the last edit time of the item in the PC desktop with its duplicate, if any, on the file server.*

*If the times match, no additional work is performed. Otherwise, if the times do
not match, the files are updated in accordance with a method selected by the
user. For example, the newer item can be written over the older item, the
newer item can be saved as a new version, and so on.* The updated item is
indicated accordingly (i.e., with a name change, an extension change, or a
version change in the file attribute). If a file is recently created and a
corresponding duplicate does not exist, the recently created file is duplicated
on the other desktop.

The file synchronization feature ensures that the user has access to the most
current files at any given moment, and from virtually anywhere web access is
available. [emphases added]

In view of the above, Applicants submit that Huang et al. describes a system for which a

synchronization application 840 (FIG. 8 of Huang et al.) can run in a PC, for example the PC

having the Desktop 820. The synchronization application 840 can, from time to time, inspect

files in a sync folder 822 on the same PC, and compare the files by date of generation with

corresponding files in another sync folder 812 on a server and in yet another sync folder 832 on

another PC. The synchronization application 840 can, from time to time, move files in any

direction among the three sync folders 822, 812, 832 in order to bring associated files into

synchronization. Therefore, the files in any one of the sync folders, for example the sync folder

822, are " accessible to (i.e., can be read by) any of the PCs associated with the desktops 820,

830 and to the server associated with the desktop 810.

Taking the sync folder 822 as an example, either of the PCs associated with the desktops

820, 830 and also the server associated with the desktop 810 can **get** data from the sync folder

822, and can **send** data to the sync folder 822, depending upon a direction in which

synchronization occurs. For example, if a file A in the sync folder 812 is newer than a

corresponding file A in the sync folder 822, the file synchronization application 840 (which can

reside in the PC associated with the desktop 820) can *read* the file A from the sync folder 812

and copy it into the sync folder 822. Similarly, if a file A in the sync folder 832 is newer than a

corresponding file A in the sync folder 822, the file synchronization application 840 can *read* the

file A from the sync folder 832 and copy it into the sync folder 822.

From the above examples, it should be apparent that the files in the sync folder 832 are not accessible only to the PC in which they reside as called for in Claim 1, but are also accessible to the synchronization application 840 residing in the other PC. Similarly, if another synchronization application resides in the PC having the PC desktop 830, the files in the sync folder 822 are not accessible to only to the PC in which they reside, but are also accessible to the other synchronization application. With the arrangement of Huang et al., the files in all of the synchronization folders 812, 822, 832 are accessible to (i.e., can be read by) both of the PCs and by the server.

In Huang et al., any synchronization application has write privileges for any file in an associated sync folder and also has read privileges for any corresponding file in another sync folder. Applicants submit that the files of Huang et al. are not nearly as secure as files of the present invention, for which files are accessible only to a computer in which they reside (i.e., they cannot be read by another computer).

In view of the above, Applicants submit that Claim 1 is patentably distinct over Huang et al.

Claims 2-14 and 20 depend from and thus include the limitations of Claim 1. Thus, Applicants submit that Claims 2-14 and 20 are patentably distinct over the cited references at least for the reasons discussed above in conjunction with Claim 1.

Applicants submit that Claim 9 is further patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests "…automatically updating, upon initiation by the first sharing partner, at least one of the first private tagged data portion, the first private tagged copied data portion, or the first replicated data portion in accordance with the first private data portion *when the first private data portion is altered by the first sharing partner*," as set forth in Claim 9. The claimed arrangement results in the automatically updating whenever data

is altered. In contrast, Huang et al. describes updating files in conjunction with FIG. 8, which occurs on a time schedule.

For substantially the same reasons discussed above in conjunction with Claim 9, Applicants submit that Claim 12 is further patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests "…automatically updating, upon initiation by the first sharing partner, at least one of the first private tagged data portion and the first replicated data portion in accordance with the first private data portion *when the first private data portion is altered by the first sharing partner*," as set forth in Claim 12.

For substantially the same reasons discussed above in conjunction with Claim 9, Applicants submit that independent Claim 20 is patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests "…automatically updating at least one of the first private tagged data portion and the first replicated data portion in accordance with the first private data portion *when the first private data portion is altered by the first sharing partner*," as set forth in Claim 20.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicants submit that independent Claim 15 is patentably distinct over Huang et al. et al., since the cited reference neither describes nor suggests "…a first sharing partner including: a first client computer; and a first sharing partner server coupled to the first client computer, wherein the first sharing partner server includes a first private data memory having a first private data portion, wherein *the first private data portion is accessible to only the first sharing partner*; and a second sharing partner including: a second client computer; and a second sharing partner server coupled to the second client computer, wherein the second sharing partner server includes a second private data memory having a second private data portion, wherein *the second private data portion is accessible to only the second sharing partner*, *wherein the first sharing partner is adapted to push, upon initiation by the first sharing partner, data in accordance with the first private data portion to the second sharing partner as a first replicated data portion, wherein the*

first replicated data portion is accessible to the second sharing partner, and wherein the second sharing partner is adapted to push, upon initiation by the second sharing partner, data in accordance with the second private data portion to the first sharing partner as a second replicated data portion, wherein the second replicated data portion is accessible to the first sharing partner," as set forth in Claim 15.

Claims 16 and 17 depend from and thus include the limitations of Claim 15. Thus, Applicants submit that Claims 16 and 17 are patentably distinct over Huang et al. et al. at least for the reasons discussed above in conjunction with Claim 15.

In view of the above, Applicants submit that the rejection of Claims 1-4, 6, 8-12, 15-17, and 20 under 35 U.S.C. §103(a) should be removed.

Huang et al. et al. in View of Pike et al.

The Examiner rejects Claims 13, 14, 18, 19 under 35 U.S.C. §103(a) as being unpatentable over Huang et al. et al. in view of Pike et al. (Defense Data Network, Defense Secure Network; FAS Intelligence Resource Program; February 11, 2000...).

Claims 13 and 14 depend from and thus include the limitations of Claim 1. Thus, Applicants submit that Claims 13 and 14 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 1.

Claims 18 and 19 depend from and thus include the limitations of Claim 15. Thus, Applicants submit that Claims 13 and 14 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 15.

As the Examiner is aware, and as found in MPEP §2142, in order to establish a prima facie case of obviousness "...there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art,

to modify the reference or to combine reference teachings." Applicants respectfully submit that the Examiner has not met this burden in order to establish prima facie obviousness.

Huang et. al. describes a "virtual desktop in a computer network," (title) which is described only in terms of commercial applications. Pike et al. describes a "defense data network," and a "defense secure data network," (title) which comprise a variety of secure data sharing standards used in conjunction with the military. Generally, the secure data networks employ "physical protection *at the router* and KG *encryption* for expose circuits." (page 2) [emphasis added]

Applicants submit that Huang et al. would not be motivated to incorporate the physical protection at the router or the data encryption of Pike et al. Huang et al. provides a "virtual computing environment." (column 1, line 62), having sync folders that remain synchronized by way of a file synchronization application program in the above-described way. Huang et al. does not specifically attempt to secure data. Therefore, Huang et al. would not be motivated to secure data as in Pike et al., and furthermore, would, therefore, not be motivated to use his virtual desktop system to share military data that has security needs.

Further more, even if Huang et al. were combined with Pike et al., still the claimed invention would not result. Instead, the system of Huang et al., if combined with Pike et al., would provide a virtual desktop having sync folders to a plurality of users, who would share data that is encrypted. Use of the secure routers of Pike et al. would tend to prohibit the synchronization of files performed by Huang's file synchronization application program.

In view of the above, Applicants submit that the rejection of Claims 13, 14, 18, 19 under 35 U.S.C. §103(a) should be removed.

In view of the above Remarks, Applicants submit that the claims and the entire case are in condition for allowance and should be sent to issue and such action is respectfully requested.

It is submitted that this Response places the application in condition for allowance or in better form for consideration on appeal, and thus, entry of this Response is respectfully requested under the provisions of 37 C.F.R. §1.116.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Response or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136.

Respectfully submitted,

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